



Texas Department of Insurance
Division of Workers' Compensation

FOR IMMEDIATE RELEASE
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For Immediate Release

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**Division Rules Repealed —Initiating Lifetime Income Benefits and
Prospective Review of Medical Care Not Requiring Preauthorization**

AUSTIN, TX – On December 19, 2007, Commissioner of Workers' Compensation Albert Betts repealed two rules; 28 Texas Administrative Code (TAC) §131.1 relating to initiation of lifetime income benefits and 28 TAC §134.650 relating to the prospective review of medical care not requiring preauthorization.

The repeal of 28 TAC §131.1 was necessary for the Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) to conform with the Texas Court of Appeals' ruling in *Mid-Century Insurance Company v. Texas Workers' Compensation Commission*. The *Mid-Century* case held that lifetime income benefits are to be paid from the date an injured employee is determined to be entitled to lifetime income benefits, but not prior to that date.

In January 2007, TDI-DWC adopted the *Official Disability Guidelines – Treatment in Workers' Compensation (ODG)* for disability management. The Commissioner of Workers' Compensation repealed 28 TAC §134.650 because preauthorization is not required for treatments provided within ODG, except in certain circumstances.

The repeals are posted on the TDI website at <http://www.tdi.state.tx.us/wc/rules/adopted/adopted.html>.

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The release refers to the workers' compensation initiation of Lifetime Income Benefits rule (28 Texas Administrative Code §131.1); the prospective review of medical care not requiring preauthorization rule (28 TAC §134.650); and treatment guidelines (28 TAC §137.100).